

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

NOV 08 2007

JOHN F. CORCORAN, CLERK  
BY:   
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JO'NATHAN TALBERT, #346496,  
Plaintiff,

Civil Action No. 7:07-cv-00450

v.

FINAL ORDER

JOHN JABE, et al.,  
Defendants.

By: Hon. Glen E. Conrad  
United States District Judge


In accordance with the memorandum opinion entered this day, it is hereby

**ADJUDGED AND ORDERED**

that the instant complaint is **DISMISSED**, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim upon which relief may be granted. Any pending motions are hereby **DENIED as MOOT**, and this case is **STRICKEN** from the active docket of the court.\*

The Clerk is directed to send copies of this order and accompanying memorandum opinion to plaintiff and to all counsel of record for the defendants.

ENTER: This 8<sup>th</sup> day of November, 2007.



United States District Judge

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\* Plaintiff is advised that he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 30 days of the date of entry of this order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).